

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

Case No: [19-md-02913-WHO](#)Case Name: [In Re: Juul Labs, Inc., \(San Francisco Unified School District v. Juul \(Case No. 20-cv-8117-WHO\)](#)

**TRIAL SHEET, EXHIBIT and WITNESS LIST**

<b>JUDGE:</b>		<b>PLAINTIFF ATTORNEYS:</b>	<b>DEFENSE ATTORNEYS:</b>
William H. Orrick		Sarah London, Dena Sharp, Andrew Kaufman, and Adam Davis	Beth Wilkinson, Brian Stekloff, John Massaro, and David Kouba
<b>TRIAL DATE: 05/08/2023</b>		<b>REPORTER:</b>	<b>CLERK:</b>
8:00 a.m. to 1:31 p.m. 2:01 p.m. to 2:44 p.m. 5 hours and 46 minutes		Debra Pas	Jean Davis

<b>PLF NO.</b>	<b>DEF NO.</b>	<b>TIME OFFERED</b>	<b>ID</b>	<b>REC</b>	<b>DESCRIPTION</b>
		8:00 a.m.			Court in session (jury out) Counsel discuss status of COVID exposure and scheduling issues
		8:08 a.m.			Court in recess
		8:41 a.m.			Court in session (jurors present)
		8:42 a.m.			Plaintiff direct examination of <b>David Cutler</b> (Sharp)
		10:13 a.m.			Court in recess
		10:27 a.m.			Court in session (jurors seated) Plaintiff direct examination of <b>David Cutler</b> continues (Sharp)
<b>3412</b>		10:36 a.m.	X	X	CDC Director's Statement on the first death related to the outbreak of severe lung disease in people who use e-cigarette or "vaping" devices (demonstrative slide 40) admitted without objection
		10:47 a.m.			Defense cross examination of <b>David Cutler</b> (Stekloff)
<b>3361</b>		11:15 a.m.	X	X	Juul Kiosk photo - JUUL Labs (no objection)
<b>2781</b>		11:38 a.m.	X		Document from Alexandra McGuire (AGDC) Re: March Blitz - Stores to Invoice.xlsx (Published without objection; not admitted)
		11:56 a.m.			Court in recess
		12:11 p.m.			Court in session (jurors present) Defense cross examination of <b>David Cutler</b> continues (Stekloff)
	<b>6569</b>	12:34 p.m.	X		Benowitz, et al., Clinical Pharmacology of Electronic Nicotine Delivery Systems (ENDS): Implications for Benefits and Risks in the Promotion of the Combusted Tobacco Endgame (Published without objection; not admitted)

Case No: 19-md-02913-WHOCase Name: In Re: Juul Labs, Inc., (San Francisco Unified School District v. Juul (Case No. 20-cv-8117-WHO)Date: May 8, 2023Courtroom Deputy: Jean Davis - Court Reporter: Debra Pas**EXHIBIT and WITNESS LIST CONTINUED**

PLF NO.	DEF NO.	TIME OFFERED	ID	REC	DESCRIPTION
		12:45 p.m.			Plaintiff redirect of <b>David Cutler</b> (Sharp)
<b>4034</b>		12:48 p.m.	X	X	(no objections)
		1:28 p.m.			Defense follow up examination of <b>David Cutler</b> (Stekloff)
		1:30 p.m.			Jurors excused
		1:31 p.m.			Court in recess
		2:01 p.m.			Court in session (jurors out) Objections to the proposed final jury instructions and verdict form heard; Noerr Pennington arguments will be taken up on Wednesday morning.
		2:43 p.m.			Guidelines for presentation and briefing of Rule 50 motions discussed
		2:44 p.m.			Court in recess

Plaintiff time at start of day: 13 hours, 3 minutes

Time used 05/05/2023: 2 hours, 34 minutes

Time remaining: 10 hours, 29 minutes

Defendant total time: 29 hours, 33 minutes

Time used 05/05/2023: 1 hour, 45 minutes

Time remaining: 27 hours, 48 minutes